



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 17

### SIXTIETH LEGISLATURE

Wednesday, January 31, 2007

24th Day - 2007 Regular Session

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	SB 5749	SJM 8009					
<b>HOUSE</b>	HB 1098-S	HB 1822	HB 1823	HB 1824	HB 1825	HB 1826	HB 1827
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This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2007>.

### House Bills

**HB 1098-S** by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Hinkle, Schual-Berke, Campbell, Morrell, Green, Darneille, Ormsby, B. Sullivan, Dickerson, Kenney, Moeller, and Wallace)

Authorizing suspension of restriction on the availability of vaccines during outbreaks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes suspension of restriction on the availability of vaccines during outbreaks.

-- 2007 REGULAR SESSION --

- Jan 18 Public hearing in committee.
- Jan 22 Executive session in committee.  
HCW - Majority; 1st substitute bill be substituted, do pass.
- Jan 24 Passed to Rules Committee for second reading.

**HB 1822** by Representatives Simpson, Haigh, Appleton, Moeller, Darneille, Williams, Hunt, Hurst, Ormsby, and Schual-Berke

Addressing cigarette ignition propensity.

Declares that cigarettes may not be sold or offered for sale in this state or offered for sale or sold to persons located in this state unless the cigarettes have been tested in accordance with the test method and meet the performance standard specified in this act, a written certification has been filed by the manufacturer with the state director of fire

protection in accordance with this act, and the cigarettes have been marked in accordance with this act.

Provides that a manufacturer, wholesale dealer, agent, or any other person or entity who knowingly sells or offers to sell cigarettes, other than through retail sale, in violation of this act, for a first offense is liable to a civil penalty not to exceed ten thousand dollars per each sale of the cigarettes, and for a subsequent offense is liable to a civil penalty not to exceed twenty-five thousand dollars per each sale of the cigarettes. However, in no case may the penalty against such a person or entity exceed one hundred thousand dollars during any thirty-day period.

-- 2007 REGULAR SESSION --

- Jan 30 First reading, referred to Commerce & Labor.

**HB 1823** by Representatives Kenney, Santos, Pettigrew, McIntire, Hasegawa, Moeller, and Ormsby

Creating the business school association for small business growth.

Creates the business school association for small business growth at the University of Washington with the mission to provide students with real world business experience while also providing technical and consulting services to the state's small business community. The business school association for small business growth shall connect students, faculty, and staff from Washington's higher education institutions with small businesses and the nonprofit community to expand students' knowledge and skills, help small businesses grow, create and retain jobs, open educational opportunities for underrepresented minority students, and stimulate innovative economic development research.

Appropriates the sum of five hundred thousand dollars for the fiscal year ending June 30, 2008, from the general fund to the University of Washington for the purposes of this act.

Appropriates the sum of five hundred thousand dollars for the fiscal year ending June 30, 2009, from the general fund to the University of Washington for the purposes of this act.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Higher Education.

**HB 1824** by Representatives Chase, O'Brien, Simpson, Williams, and Ormsby

Allowing the survivors of certain firefighters to remarry without a loss of benefits.

Allows the survivors of certain firefighters to remarry without a loss of benefits.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HB 1825** by Representatives Schual-Berke, Curtis, Dunshee, Moeller, Lovick, Morrell, Seaquist, McCoy, Clibborn, Barlow, Green, Appleton, Pedersen, Darneille, P. Sullivan, Kenney, Rolfes, Simpson, McIntire, Roberts, and Ormsby

Providing dedicated funding for public health services.

Declares that protecting the public's health across the state is a fundamental responsibility of the state. With the commitment to state funding of the public health system as provided in this act, the state expects that measurable benefits will be realized to the health of the residents of Washington. In addition, a well-funded public health system is expected to become a more integral part of the state's emergency preparedness system.

Requires this increase in public health funding to deliver the following outcomes, subject to available funding levels: (1) Create a disease response system capable of responding at all times;

(2) Stop the increase in, and reduce, sexually transmitted disease rates;

(3) Reduce vaccine preventable diseases;

(4) Build capacity to quickly contain disease outbreaks;

(5) Decrease childhood obesity and diabetes rates;

(6) Increase childhood immunization rates;

(7) Provide home visiting services that improve birth outcomes and decrease child abuse;

(8) Reduce animal-to-human disease rates; and

(9) Monitor and protect drinking water across jurisdictional boundaries.

Requires that, by April 1, 2008, the committee shall develop a list of activities and services offered by local health jurisdictions that qualify as core public health functions of statewide significance as defined in this act.

Requires that, by October 1, 2008, the committee shall develop appropriate performance measures applicable to the core public health functions of statewide significance that local health jurisdictions must provide pursuant to this act.

Provides that, beginning July 1, 2009, local health jurisdictions are eligible to receive funds under this act from the local public health financing account only upon demonstrating that the local health jurisdiction has: (1)

Complied with the performance measures adopted under this act; and

(2) Spent funds received after July 1, 2008, under this act in accordance with the criteria established in that act.

Requires that, by November 15, 2011, the department shall report to the legislature and the governor on the distribution of funds under this act and the use of those funds. In addition, the report must discuss the performance measures adopted by the advisory committee and the impact of the funds to improve compliance with the performance measures and health status indicators.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1826** by Representatives Seaquist, Hinkle, Morrell, Moeller, and Ormsby; by request of Department of Social and Health Services

Modifying provisions affecting medical benefits.

Requires health insurers, including private insurers, group health plans, service benefit plans, managed care organizations, pharmacy benefit managers, or other parties that are, by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service, as a condition of doing business in Washington, to increase their effort to share information with the department and accept the department's timely claims consistent with 42 U.S.C. 1396a(a)(25).

Requires health insurers, as a condition of doing business in Washington, to: (1) Provide, with respect to individuals who are eligible for, or are provided, medical assistance under chapter 74.09 RCW, upon the request of the medical assistance administration, information to determine during what period the individual or their spouses or their dependants may be, or may have been, covered by a health insurer and the nature of coverage that is or was provided by the health insurer, including the name, address, and identifying number of the plan, in a manner prescribed by the medical assistance administration;

(2) Accept the medical assistance administration's right to recovery and the assignment to the medical assistance administration of any right of an individual or other entity to payment from the party for an item or service for which payment has been made under chapter 74.09 RCW;

(3) Respond to any inquiry by the medical assistance administration regarding a claim for payment for any health care item or service that is submitted not later than three years after the date of the provision of such health care item or service;

(4) Agree not to deny a claim submitted by the medical assistance administration on the basis of the date of submission of the claim, the type or format of the claim form, or a failure to present proper documentation at the point-of-sale that is the basis of the claim, if: (a) the claim is submitted by the medical assistance administration within the three-year period beginning on the date the item or service was furnished; and (b) any action by the medical assistance administration to enforce its rights with respect to such claim is commenced within six years of the medical assistance administration's submission of such claim; and

(5) Agree that the prevailing party in any legal action to enforce these provisions receives attorneys' fees as well as

related collection fees and costs incurred in the enforcement of these provisions.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1827** by Representatives Santos, Hasegawa, Campbell, Kenney, McDermott, Hunt, Appleton, Haler, Blake, Hankins, Green, Upthegrove, Williams, Simpson, McIntire, and Ormsby

Requiring a tax expenditure report as part of the biennial budget documents.

Provides that the governor is requested to review the report from the department of revenue and prepare a tax expenditure report as part of the biennial budget documents under RCW 43.88.030. The tax expenditure report must include the listing of exemptions prepared by the department of revenue and a budget analysis of each exemption. The budget analysis must categorize each exemption according to the programs or functions each exemption supports.

Directs the governor to identify each exemption that will terminate during the next biennium and make a recommendation as to whether the exemption should be allowed to terminate, continue, or continue with modification.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Finance.

**HB 1828** by Representatives Sells, Campbell, Conway, Cody, Green, Seaquist, McCoy, Chase, Dunshee, Wood, Moeller, Kenney, P. Sullivan, B. Sullivan, Kirby, Roberts, Appleton, Blake, Hasegawa, Hunt, Miloscia, Lovick, Morrell, Williams, Rolfes, Hurst, Simpson, and Ormsby

Requiring a state policy of neutrality towards unionization for persons using aerospace-related tax incentives.

Finds that the state's tax policy currently provides for tax exemptions and credits, as well as preferential tax rates, for certain industries. The state's tax policy does not, however, require neutrality towards unionization as a condition of claiming these incentives. As a result, some employers that benefit substantially from these incentives have encouraged or discouraged unionization.

Declares that the state's tax policy should recognize the right of employees to freedom of association in the workplace and freedom of choice in who will represent employees in collective bargaining.

Provides that, for these reasons, the legislature intends to bar persons from claiming these tax incentives if they choose to encourage or discourage unionization.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Commerce & Labor.

**HB 1829** by Representatives Morrell, Erickson, Appleton, Priest, Moeller, Strow, Campbell, Conway, Wallace, Fromhold, Miloscia, Armstrong, P. Sullivan, Haler, Pettigrew, Crouse, Darneille, McDonald,

Green, Hinkle, Seaquist, Simpson, VanDeWege, Lovick, O'Brien, Kenney, Rolfes, and Ormsby

Addressing the nursing facility medicaid payment system. Revises provisions relating to the nursing facility medicaid payment system.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HB 1830** by Representatives O'Brien, Pearson, and Anderson

Creating the emergency transportation grant program.

Declares an intent to further the fundamental governmental purpose of preserving life by providing grants to both public and private ambulance services to improve their ability to respond to the critical needs of Washington citizens in the event of a disaster.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1831** by Representatives Hunt, Armstrong, Appleton, Miloscia, Priest, Green, Ormsby, Williams, Hudgins, Condotta, and Moeller

Modifying the dates of an election cycle.

Revises the dates of an election cycle.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to State Government & Tribal Affairs.

**HB 1832** by Representatives Hunt, Chandler, Williams, Ormsby, and Condotta

Shortening the statute of limitations on claims under chapter 42.17 RCW.

Reduces the statute of limitations on claims under chapter 42.17 RCW.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to State Government & Tribal Affairs.

**HB 1833** by Representatives Conway, Pettigrew, Seaquist, Upthegrove, Morrell, Kessler, P. Sullivan, Williams, Kenney, Haler, Erickson, Moeller, Sells, Dunn, Rolfes, Lantz, McCoy, Lovick, Jarrett, Strow, Hurst, Springer, Campbell, Goodman, Simpson, Pearson, Curtis, Rodne, Schual-Berke, McDermott, and Ormsby

Expanding the presumption of occupational disease for firefighters.

Finds and declares: (1) By reason of their employment, firefighters are required to work in the midst of, and are subject to, smoke, fumes, infectious diseases, and toxic substances;

(2) Firefighters are continually exposed to a vast and expanding field of hazardous substances;

(3) Firefighters enter uncontrolled environments to save lives, provide emergency medical services, and reduce property damage and are frequently not aware or informed of the potential toxic and carcinogenic substances, and infectious diseases that they may be exposed to;

(4) Firefighters are often exposed simultaneously to multiple carcinogens;

(5) Firefighters so exposed can potentially and unwittingly expose coworkers, families, and members of the public to infectious diseases;

(6) Harmful effects caused by firefighters' exposure to hazardous substances, whether cancer, infectious disease, a heart injury, or respiratory disease, develop very slowly, usually manifesting themselves years after exposure;

(7) Cardiovascular disease is exacerbated by firefighting duties and firefighting increases the incidence of cardiovascular disease and heart injuries in firefighters;

(8) Firefighters frequently and at unpredictable intervals perform job duties under strenuous physical conditions when engaged in firefighting activities and routinely are unable to meet normal definitions of "unusual exertion" standards; and

(9) Firefighters who experience heart injuries during firefighting activities shall be assumed to meet current "unusual exertion" standards during strenuous physical exertion.

Provides that, in any case where the presumption is upheld, or the employee prevails on the basis of a presumption, whether at the board of industrial insurance appeals or in any court, the employee must be awarded full benefits, attorney fees, expert witness costs, and all other costs from the date of the employee's initial application for benefits.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Commerce & Labor.

**HB 1834** by Representatives Alexander, Haler, Chandler, Bailey, and Kretz

Requiring notice of appropriations legislation before legislative votes.

Requires an omnibus operating, capital, or transportation appropriations bill, or any other bill that implements an omnibus operating, capital, or transportation appropriations bill and is effective for the same period as such appropriations bill, to be made publicly available to the members of the legislature and the public at least five calendar days before such bill may be voted on by the senate or the house of representatives.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HB 1835** by Representatives Alexander, Haler, Bailey, Rodne, Chandler, and Kretz

Addressing the state expenditure limit.

Requires that appropriations made from the state general fund or related funds for deposit into other funds do not constitute actual expenditures for purposes of rebasing pursuant to this act unless the amount deposited into the other fund is expended before the close of the fiscal year for which it was appropriated.

Provides that, prior to final passage of the omnibus operating budget by the legislature, the expenditure limit committee shall meet to adjust the expenditure limit for transfers and cost shifts under RCW 43.135.035 (4) and (5) and 43.135.060(2). If necessary, the committee shall make further adjustments after the governor signs the omnibus operating budget.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HB 1836** by Representatives Ericks, Pearson, Lovick, Williams, Kelley, Kretz, Hurst, and Simpson

Requiring registered sex and kidnapping offenders to register after serving a term of confinement for a subsequent offense that is not a sex or kidnapping offense.

Provides that, when an offender required to register under this act is subsequently convicted of an offense that is not a sex or kidnapping offense, and is in the custody, as a result of the offense, of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility, he or she shall register at the time of release from custody with an official designated by the agency that has jurisdiction over the offender. The agency shall, within three days, forward the registration information to the county sheriff for the county of the offender's anticipated residence.

Requires the offender to also register within twenty-four hours from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school or place of employment or vocation. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register. The requirements of this provision apply regardless of whether the offender was registered prior to his or her confinement.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1837** by Representatives Newhouse, Cody, and Schual-Berke

Directing the department of health to develop guidelines for the transport of nonambulatory persons in a vehicle not licensed under chapter 18.73 RCW.

Directs the department of health to develop guidelines for the transport of nonambulatory persons in a vehicle not licensed under chapter 18.73 RCW.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1838** by Representatives Seaquist, Haler, McIntire, Conway, Kenney, Simpson, and Ormsby

Changing the retirement allowances of certain members who die before retirement when they could have retired with thirty years of service credit.

Provides that, if a member had thirty years of service credit at the time of death, but had not retired, his or her accumulated contributions plus interest and the employer's accumulated contributions plus interest, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, and any other benefits payable upon his or her death shall be paid to his or her estate or to such persons, trust, or organization as he or she has nominated by written designation duly executed and filed with the department. Interest on accumulated contributions shall be determined by the director.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HB 1839** by Representative Anderson

Suspending certain collective bargaining agreements and administrative rules in the event of a disaster.

Provides that, in the event of a disaster, any collective bargaining agreement entered into on or after the effective date of this act shall be suspended to the extent necessary to: (1) Safely restore public utilities as quickly as possible; and

(2) Provide emergency services to persons affected by the disaster.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Commerce & Labor.

**HB 1840** by Representatives Anderson, O'Brien, Pearson, and Kessler

Establishing a pilot project to design and test a command and control data system.

Finds that implementing a command and control system statewide would: (1) Provide a visual, computer-based common operating picture for all decision makers in the event of an emergency;

(2) Reduce the need for radio frequency bandwidth for voice communications;

(3) Allow emergency responders to take action based on a common operating picture of the emergency situation; and

(4) Allow for redundant pathway capabilities, which would increase the robustness of the state's communications system.

Requires that, by December 1, 2008, the adjunct general shall submit a report to the legislature and the governor, indicating the feasibility and cost of implementing a command and control data system statewide, and making recommendations.

Provides that the act shall be null and void if appropriations are not approved.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Technology, Energy & Communications.

**HB 1841** by Representatives Anderson, O'Brien, Pearson, Rodne, Hurst, and Campbell

Requiring certain providers of food, water, or fuel to operate on backup power in the event of a disaster.

Requires that, by July 1, 2009, every motor fuel retailer located within the state shall be capable of operating all fuel dispensing equipment, life safety systems, and payment acceptance equipment using a backup power source for a period of at least seventy-two hours. Installation of the backup power source shall be performed by a licensed electrical contractor.

Requires that, by July 1, 2009, every water distribution business doing business within the state shall be capable of operating all water distribution systems using a backup power source for a period of at least seventy-two hours. Installation of the backup power source shall be performed by a licensed electrical contractor.

Authorizes the attorney general or county prosecuting attorney to file an action in superior court to require a grocery store, motor fuel retailer, or water distribution business to comply with any of the requirements of this act.

Provides that a grocery store, motor fuel retailer, or water distribution business that complies with this act is not liable for civil damages arising from the failure of the store, retailer, or business to operate during a disaster because: (1) The backup power source during a disaster has failed; or

(2) Conditions caused by the disaster make operations impracticable or unsafe.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1842** by Representatives Kenney, Conway, Campbell, McDonald, and Ormsby

Strengthening requirements governing cosmetology professions.

Strengthens requirements governing cosmetology professions.

Repeals RCW 18.16.210.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Commerce & Labor.

**HB 1843** by Representatives Conway, Condotta, Chandler, and Moeller; by request of Department of Labor & Industries

Modifying provisions regulating contractors.

Revises provisions regulating contractors.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Commerce & Labor.

**HB 1844** by Representatives Morrell, Hinkle, Moeller, Strow, Curtis, Green, Simpson, Kagi, Fromhold, and P. Sullivan

Revising the nursing facility payment system.

Revises the nursing facility payment system.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HB 1845** by Representatives Simpson, Lovick, B. Sullivan, Springer, and Appleton

Requiring and funding driver training for all new first-time drivers.

Requires and funds driver training for all new first-time drivers.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**HB 1846** by Representatives Cody, Sommers, Hunter, Fromhold, Kenney, Moeller, Simpson, and Ormsby

Requiring participants seeking financing from the health care facilities authority to agree to return anticipated

savings to patients in the form of lower rates or avoidance of rate increases.

Requires participants seeking financing from the health care facilities authority to agree to return anticipated savings to patients in the form of lower rates or avoidance of rate increases.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1847** by Representatives O'Brien, Warnick, Eickmeyer, Dunn, Darneille, and Simpson

Providing for lead poisoning prevention education and screening.

Requires the secretary to sponsor a series of public service announcements on radio, television, the internet, and print media about the nature of lead-based paint hazards, the importance of standards for lead poisoning prevention in properties, the certification and training program administered by the department of community, trade, and economic development under chapter 70.103 RCW, and the purposes and responsibilities set forth in this act. In developing and coordinating this public information initiative, the secretary shall seek the participation and involvement of private industry organizations, including those involved in real estate, insurance, mortgage banking, and pediatrics.

Requires that, by January 1, 2008, the secretary shall develop culturally and linguistically appropriate information pamphlets regarding childhood lead poisoning, the importance of testing for elevated blood-lead levels, prevention of childhood lead poisoning, treatment of childhood lead poisoning, and, where appropriate, the requirements of this act. These information pamphlets shall be distributed to parents or other legal guardians of children six years of age or younger on the following occasions: (1) By a health care provider at the time of a child's birth and at the time of any childhood immunization or vaccination unless it is established that such information pamphlet has been provided previously to the parent or legal guardian by the health care provider within the prior twelve months; and

(2) By the owner or operator of any child care facility or preschool or kindergarten class on or before October 15th of each calendar year.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Select Committee on Environmental Health.

**HB 1848** by Representatives Curtis, Cody, Hinkle, Condotta, Orcutt, Fromhold, Moeller, and Campbell

Requiring identification from health services applicants.

Requires that an individual applying for health services through the health care authority or the department of social and health services shall provide one of the following forms of identification the first time he or she applies: (1) Valid photo identification issued by the department of licensing;

(2) A valid enrollment card of a federally recognized Indian tribe in Washington state; or

(3) A government document that shows both the name and address of the individual.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1849** by Representatives Flannigan and Ormsby; by request of Department of Transportation

Preserving the use of design-build construction on certain transportation projects.

Deletes the expiration date of April 30, 2008 from RCW 47.20.780.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**HB 1850** by Representatives Pedersen, Schual-Berke, Morrell, Cody, Hasegawa, Moeller, Rolfes, Lantz, Green, Hurst, Campbell, and Ormsby

Limiting the sale or use of prescription information.

Limits the sale or use of prescription information.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1851** by Representatives O'Brien, Chandler, Flannigan, and Dunn

Providing cities with the authority to impose a local sales and use tax for the purpose of funding costs related to criminal justice services.

Provides cities with the authority to impose a local sales and use tax for the purpose of funding costs related to criminal justice services.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Finance.

**HB 1852** by Representatives Green, Cody, Kenney, and Schual-Berke; by request of Department of Social and Health Services

Modifying treatment records provisions.

Amends RCW 71.05.630 and 71.05.020 relating to treatment records.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1853** by Representatives Cody, Green, Morrell, Appleton, Kenney, Moeller, and Ormsby; by request of Department of Social and Health Services

Concerning case management services for dangerous mentally ill offenders.

Amends RCW 71.24.470 relating to case management services for dangerous mentally ill offenders.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1854** by Representatives Dickerson, Darneille, Roberts, Appleton, Kenney, and Hurst; by request of Department of Social and Health Services

Revising background check requirements for the department of social and health services and the department of early learning.

Revises background check requirements for the department of social and health services and the department of early learning.

Repeals RCW 41.06.476, 43.20A.710, 41.06.480, and 72.05.440.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Early Learning & Children's Services.

**HB 1855** by Representatives Schual-Berke, Kessler, Walsh, Appleton, Linville, Darneille, Hankins, Kenney, Lantz, Green, McCoy, Quall, Morrell, Haigh, Fromhold, Hunt, Dunshee, P. Sullivan, McDermott, McIntire, Wood, Dickerson, Ericks, Moeller, Pedersen, Conway, Hasegawa, Roberts, Seaquist, Kagi, Sells, Upthegrove, Williams, Goodman, Simpson, and Springer

Regarding sex education in schools.

Declares that it is in the public's best interest to ensure that young people are equipped with medically and scientifically accurate, age-appropriate information that will help them avoid unintended pregnancies, remain free of sexually transmitted diseases, and make informed, responsible decisions throughout their lives.

Declares an intent to support and advance the standards established in the January 2005 guidelines for sexual health information and disease prevention developed by the office of the superintendent of public instruction and the department of health. These guidelines are a fundamental tool to help school districts, teachers, guest speakers, health and counseling providers, community groups, parents, and guardians choose, develop, and evaluate sexual health curricula to better meet the health and safety needs of adolescents and young adults in their communities.

Provides that the office of the superintendent of public instruction shall, through its Washington state school health profiles survey or other existing reporting mechanism, ask schools to identify any curricula used to provide sexual health education, and shall report the results of this inquiry to the legislature on an annual basis, beginning with the 2008-09 school year.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1856** by Representatives Roberts, Jarrett, Wallace, Upthegrove, Chase, Barlow, Hasegawa, Lovick, Kenney, Kessler, Kagi, Lantz, and Simpson

Regarding child care grants for students at institutions of higher education.

Amends RCW 28B.135.010 and 28B.135.030 relating to child care programs for higher education students.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Higher Education.

**HB 1857** by Representatives McCoy, Kessler, Haler, Rodne, Crouse, Wallace, Grant, Morris, Hudgins, and Seaquist

Regulating utility pole attachments.

Finds that public utility districts that own utility poles and that are exempt from the pole attachment provisions under chapter 80.54 RCW have sought to charge multiple attachment fees on the same pole and have used attachment rates, terms, and conditions that are inconsistent with the pole attachment provisions under chapter 80.54 RCW and federal communications commission regulations.

Finds that these practices: (1) Are inconsistent with the policy of the state;

(2) Do not advance the efficiency or availability of telecommunications facilities in rural or urban areas;

(3) Do not encourage the introduction of competition, making the use of these essential facilities difficult for providers of telecommunications and cable television services; and

(4) Result in excessive litigation costs, the courts being the only recourse available to licensees who do not agree to contract terms.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Technology, Energy & Communications.

**HB 1858** by Representatives Fromhold, Curtis, Clibborn, Jarrett, Simpson, Springer, and Moeller

Regarding the imposition of fees by transportation benefit districts.

Revises provisions relating to the imposition of fees by transportation benefit districts.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**HB 1859** by Representatives Goodman and Priest; by request of Statute Law Committee

Revising the statute law committee's publication authority.

Provides that the statute law committee, in its discretion, may publish the Washington State Register exclusively by electronic means on the code reviser web site if it determines that public access to the Washington State Register is not substantially diminished. If the statute law committee publishes the Washington State Register exclusively by electronic means on the code reviser web site, the electronic copy posted on the code reviser web site shall be considered the official copy of the Washington State Register.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Judiciary.

**HB 1860** by Representatives Dunn, McCune, and Kretz

Providing a tax exemption for property that has declined in value due to shoreline or growth management regulation.

Declares that eligible regulated real property is exempt from taxation from regular property tax levies by the state, city or town, and county. Eligible regulated real property means real property for which the land value has been reduced by ten percent or more after November 20, 2003,

as a result of regulation under a shoreline master program adopted under chapter 90.58 RCW or under an amendment to or new comprehensive plan or development regulations adopted under chapter 36.70A RCW. The exemption continues until the cumulative tax savings due to the exemption equals or exceeds the reduction in value.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Local Government.

**HB 1861** by Representatives Dunn and McCune

Eliminating impact fees in counties and cities in counties where the first-time buyer housing affordability index shows that housing is not affordable.

Eliminates impact fees in counties and cities in counties where the first-time buyer housing affordability index shows that housing is not affordable.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Local Government.

**HB 1862** by Representatives Dunn and McCune

Allowing single-family residential development outside urban growth areas in counties where the first-time home buyers housing affordability index shows that housing is not affordable.

Authorizes single-family residential development outside urban growth areas in counties where the first-time home buyers housing affordability index shows that housing is not affordable.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Local Government.

**HB 1863** by Representatives Dunn and McCune

Eliminating the state sales tax on construction labor and services in counties where housing is not affordable for first-time buyers.

Deletes the state sales tax on construction labor and services in counties where housing is not affordable for first-time buyers.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Housing.

**HB 1864** by Representative Takko

Specifying requirements for a city or town to assume jurisdiction over, or levy and collect taxes on, a water-sewer district.

Specifies requirements for a city or town to assume jurisdiction over, or levy and collect taxes on, a water-sewer district.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Local Government.

**HB 1865** by Representatives Williams, O'Brien, Springer, Fromhold, Warnick, and McCune

Limiting the obligations of landlords under writs of restitution.

Declares that the legislature has previously recognized that landlords who choose the option of storing a tenant's property as part of an eviction should be entitled to recover the costs of drayage and storage from the tenant who was evicted. It has always been the intent of the legislature to give a landlord the option, but not the obligation, to store a tenant's property as part of an eviction.

Recognizes that county sheriffs when executing writs of restitution provide one or more deputies to maintain the peace while the landlord's personnel, under the direction of the sheriff, enter the premises and remove the property belonging to the tenant and place it on the nearest public property.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Judiciary.

**HB 1866** by Representatives Condotta, Armstrong, McDonald, Haler, Rodne, Ahern, Bailey, Kristiansen, McCune, Morrell, P. Sullivan, Moeller, and Kretz

Authorizing purple heart special license plates.

Authorizes purple heart special license plates.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**HB 1867** by Representatives Fromhold, Wallace, and Moeller

Increasing penalties in safety corridors.

Provides that a person found to have committed any infraction relating to speed restrictions in a safety corridor designated by rule by the traffic safety commission shall be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. This penalty shall not be waived, reduced, or suspended.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**HB 1868** by Representatives Seaquist, Kenney, Dunn, and Roberts

Restricting the use of a wireless communications device while operating a moving motor vehicle.

Declares an intent to phase out the use of hand-held wireless communications devices by motorists while operating a vehicle.

Declares that enforcement of this act by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of this title or an equivalent local ordinance or some other offense.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**HB 1869** by Representatives Green, Flannigan, Appleton, Morrell, Darneille, Hasegawa, Williams, Kenney, Hunt, Sells, Moeller, Lantz, Campbell, Simpson, Roberts, and Ormsby

Mandating coverage for certain hearing instruments and services.

Finds that the inability to purchase hearing aids adversely affects hearing-impaired people of all ages and

impacts the employment and educational opportunities of hearing-impaired children and adults in Washington state by limiting communication options. To provide these individuals with equal opportunity and protect the well-being of the population, the legislature intends to establish insurance coverage provisions for hearing aids.

Provides that all state purchased health care that provides coverage for prostheses must include coverage for hearing aids.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health Care & Wellness.

**HB 1870** by Representatives Pedersen, Ross, Lovick, Bailey, Hunt, Hasegawa, Pettigrew, Skinner, Flannigan, Darneille, Roberts, Newhouse, Hankins, Walsh, Appleton, Santos, Lantz, McCoy, Rodne, Schual-Berke, Ormsby, Upthegrove, Morrell, Kessler, Williams, Kenney, and McDermott

Recognizing Juneteenth as a day of remembrance.

Declares that since 1980 June 19th has been celebrated as Juneteenth across the United States as a day for people to come together in the spirit of reconciliation to commemorate the contributions of African-Americans to this country's history and culture.

Declares that an annual day of recognition be observed in remembrance of the day the slaves realized they were free as a reminder that individual rights and freedoms must never be denied.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to State Government & Tribal Affairs.

**HB 1871** by Representative Santos

Regarding education system benchmarks and monitoring.

Finds that the existing school district budget review system focuses on current school year budget implementation and preparation of the ensuing school year budget and does not provide a systematic look of longer-range budget issues, including any indication of impending financial problems in school districts and the financial impact of long-term contractual agreements. Parents, students, taxpayers, school employees, and school administrators need a financial monitoring system that considers long-term budgeting issues and commitments, and provides early warning of school district financial health concerns. Once financial concerns and issues are identified, districts should receive early, practical assistance.

Requires the office of the superintendent of public instruction and the office of financial management to present proposed system measures and a financial health outlook rating system to the governor by November 1, 2007. Subject to agreement between the governor and the superintendent of public instruction on the measures and the rating system, the financial health and monitoring system shall be implemented during the 2008-09 school year.

Directs the office of the superintendent of public instruction, with regional financial specialists contracted through educational service districts, to provide progressive levels of technical assistance to school districts in the

lowest two categories on the financial health outlook rating system.

Requires the superintendent of public instruction to submit a report summarizing the review and reporting recommendations in this act to the governor and the education and fiscal committees of the legislature by November 15, 2007.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Education.

**HB 1872** by Representative Santos

Enhancing student learning opportunities and achievement.

Provides that, beginning with the 2007-08 school year, funding for voluntary all-day kindergarten programs shall be phased-in beginning with schools with the highest poverty levels, defined as those schools with the highest percentages of students qualifying for free and reduced-price lunch support in the prior school year. Once a school receives funding for the all-day kindergarten program, that school shall remain eligible for funding in subsequent school years regardless of changes in the school's percentage of students eligible for free and reduced-price lunches as long as other program requirements are fulfilled. Resources for all-day kindergarten shall support students who qualify for free and reduced-price lunch program support. Additionally, schools receiving all-day kindergarten program support shall agree to the following conditions: (1) Providing at least a one thousand-hour instructional program;

(2) Providing a curriculum that offers a rich, varied set of experiences that assist students in: (a) developing initial skills in the academic areas of reading, mathematics, and writing; (b) developing a variety of communication skills; (c) providing experiences in science, social studies, arts, health and physical education, and a world language other than English; (d) acquiring large and small motor skills; (e) acquiring social and emotional skills including successful participation in learning activities as an individual and as part of a group; (f) establishing learning environments that are developmentally appropriate and promote creativity; and (g) learning through hands-on experiences;

(3) Demonstrating strong connections and communication with early learning community providers; and

(4) Participating in kindergarten program readiness activities with early learning providers and parents.

Authorizes ten demonstration projects for schools serving kindergarten through third grade students to develop, implement, and document the effects of a comprehensive K-3 foundations program. At least two demonstration projects shall be in schools that are participating in the public-private early learning partnerships in the Highline and Yakima school districts.

Declares that the goals of the English as a second language demonstration project are to develop recommendations: (1) Identifying foundational competencies for developing academic English skills in English language learner students that all teachers should acquire in initial teacher preparation programs;

(2) Identifying components of a professional development program that builds classroom teacher competence for developing academic English skills in English language learner students; and

(3) Identifying job-embedded practices that connect the English language learner teacher and classroom teachers to coordinate instruction to support the work of the student.

Requires the institute for public policy to report its findings to the governor, the office of the superintendent of public instruction, and the education and fiscal committees of the legislature. An interim report is due November 1, 2008. The final report is due December 1, 2009.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Education.

**HB 1873** by Representatives Ormsby, Haler, Pedersen, Wood, VanDeWege, Campbell, Flannigan, Kessler, Williams, and Lantz

Changing the requirements for, and recoveries under, a wrongful injury or death cause of action.

Revises the requirements for, and recoveries under, a wrongful injury or death cause of action.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Judiciary.

**HB 1874** by Representatives Roberts, Dickerson, Green, Pettigrew, O'Brien, Kagi, Dunshee, Hunt, Goodman, Jarrett, Darneille, Hasegawa, McCoy, Appleton, Upthegrove, Kessler, Kenney, Moeller, Lantz, Sells, Hurst, Simpson, McIntire, and Ormsby

Addressing the transition and reentry of offenders into the community.

Declares an intent to support evidence-based programing for offenders and focus on facilitating the successful reentry of offenders into the community. The goals of the offender reentry programs are to increase public safety, maximize rehabilitation of offenders, and lower recidivism.

Provides that the department of corrections shall continue to establish community justice centers within the state for the purpose of providing assistance to inmates who are reentering the community.

Requires a minimum of six community justice centers to be operational by December 1, 2009. The six community justice centers include those in operation at the time of the effective date of this act. The community justice centers shall be located in the six counties with the largest population of offenders who were released from department of corrections custody. At least one center shall be located in a rural geographic region of the state.

Provides that, by December 1, 2011, the department of corrections shall establish a minimum of three additional community justice centers within the state.

Provides that, in addition to any other programs or services offered, the community justice centers shall designate a community transition coordinator who shall act to facilitate connections between the former inmate and the community. The community transition coordinator shall provide information to former inmates regarding services available to them in the community regardless of the length of time since the offender's release from the correctional facility.

Directs the department of corrections and the state board for community and technical colleges to investigate and review methods to optimize educational and vocational programming opportunities to meet the needs of each

offender as identified in his or her individual reentry plan both while an offender is incarcerated and postrelease.

Requires that, in conducting its review, the department and state board shall consider and make recommendations regarding: (1) Technological advances which could serve to expand educational programs and vocational training including, but not limited to, distance learning, satellite instruction, videotape usage, computer aided instruction, and flexible scheduling;

(2) Methods to ensure educational programs and vocational training are relevant to work programs and skills necessary to enhance the employability of offenders upon release;

(3) Long-term methods for maintaining channels of communication between the department, state board administration, educators, and students; and

(4) Methods for ensuring that security measures remain intact regarding an offender's use of the internet.

Requires the department and state board to report to the governor and the legislature on the investigation and recommendations required in this act no later than November 15, 2007.

Provides that, on or before October 1, 2007, the department of corrections and the department of licensing shall enter into an agreement establishing expedited procedures to assist offenders in obtaining a driver's license or identification card upon their release from a department of corrections' institution.

Establishes a joint legislative task force on reentry barriers for previously incarcerated individuals for the purpose of providing oversight into the implementation of this act and develop recommendations to assist the reentry of inmates into the community.

Requires the joint legislative task force to present a report of its findings and recommendations to the governor and the appropriate committees of the legislature, including any proposed legislation, by November 15, 2008.

Provides that: (1) The department of corrections shall enter into agreements to provide short-term housing assistance to offenders classified as high risk or high needs who are reentering the community and are in need of transitional housing;

(2) The department may develop further criteria in rule to determine who will qualify for housing assistance and shall utilize the recommendations provided by the joint legislative task force under this act in the development of the criteria;

(3) Housing assistance shall not be provided in excess of one hundred twenty days for each offender; and

(4) The state, department, and its employees are not liable for civil damages arising from the conduct of an offender solely due to the placement of an offender in short-term housing or the provision of housing assistance.

Appropriates the sum of three million eight hundred fifty thousand dollars, or as much thereof as may be necessary, from the general fund for the fiscal year ending June 30, 2008, and the sum of three million eight hundred fifty thousand dollars, or as much thereof as may be necessary, from the general fund for the fiscal year ending June 30, 2009, to the department of corrections for the purposes of this act.

Appropriates the sum of three million eight hundred fifty thousand dollars, or as much thereof as may be necessary, from the general fund for the fiscal year ending June 30, 2008, and the sum of three million eight hundred fifty thousand dollars, or as much thereof as may be

necessary, from the general fund for the fiscal year ending June 30, 2009, to the department of community, trade, and economic development for the purposes of this act.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Human Services.

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### House Joint Resolutions

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**HJR 4216** by Representatives Alexander, Haler, Chandler, Bailey, McCune, and Kretz

Amending the state Constitution to require that appropriation bills are made available prior to a vote.

Proposes an amendment to the state Constitution to require that appropriation bills are made available prior to a vote.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HJR 4217** by Representatives Alexander, Haler, Bailey, Rodne, Chandler, and Kretz

Amending the state Constitution to include an expenditure limit.

Proposes an amendment to the state Constitution to include an expenditure limit.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Appropriations.

**HJR 4218** by Representatives Bailey, Alexander, Curtis, Buri, Hinkle, Ericks, Chandler, Dunn, Priest, Sump, Anderson, Haler, Kristiansen, Ahern, McCune, and Kretz

Requiring a sixty percent vote for emergency clauses.

Proposes an amendment to the state Constitution requiring a sixty percent vote for emergency clauses.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to State Government & Tribal Affairs.

**HJR 4219** by Representatives McCune, Dunn, Ahern, and Hinkle

Amending the Constitution to establish English as the official language of Washington.

Proposes an amendment to the state Constitution to establish English as the official language of Washington.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to State Government & Tribal Affairs.

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### Senate Bills

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**SB 5728** by Senators Rasmussen, McAuliffe, Weinstein, Tom, Zarelli, Keiser, Kohl-Welles, Holmquist, and Kline

Regarding the salary schedule for educational staff associate positions and vocational certified instructors.

Provides that, beginning in the 2007-08 school year, the determination of years of service for occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, and psychologists, regulated under Title 18 RCW, may include experience in schools and other nonschool positions as occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, or psychologists. One year of service in nonschool positions shall be counted as one year of service for purposes of this act. A maximum of five years of service in nonschool positions may be included in the determination of years of service.

Provides that, beginning in the 2007-08 school year, the determination of years of service for vocational certified instructors may include related nonschool experience for vocational certified instructors with a degree from an accredited institution of higher education that was attained before receiving a vocational certificate. A maximum of five years of service in nonschool positions may be included in the determination of years of service.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Early Learning & K-12 Education.

**SB 5729** by Senators Franklin, Brandland, Keiser, Kline, Rasmussen, Marr, Hargrove, Kastama, Murray, Fairley, Kohl-Welles, Hatfield, Regala, Jacobsen, Poulsen, and Parlette

Providing dedicated funding for public health services.

Declares that protecting the public's health across the state is a fundamental responsibility of the state. With the commitment to state funding of the public health system as provided in this act, the state expects that measurable benefits will be realized to the health of the residents of Washington. In addition, a well-funded public health system is expected to become a more integral part of the state's emergency preparedness system.

Requires this increase in public health funding to deliver the following outcomes, subject to available funding levels: (1) Create a disease response system capable of responding at all times;

(2) Stop the increase in, and reduce, sexually transmitted disease rates;

(3) Reduce vaccine preventable diseases;

(4) Build capacity to quickly contain disease outbreaks;

(5) Decrease childhood obesity and diabetes rates;

(6) Increase childhood immunization rates;

(7) Provide home visiting services that improve birth outcomes and decrease child abuse;

(8) Reduce animal-to-human disease rates; and

(9) Monitor and protect drinking water across jurisdictional boundaries.

Requires that, by April 1, 2008, the committee shall develop a list of activities and services offered by local health jurisdictions that qualify as core public health functions of statewide significance as defined in this act.

Requires that, by October 1, 2008, the committee shall develop appropriate performance measures applicable to the core public health functions of statewide significance that local health jurisdictions must provide pursuant to this act.

Provides that, beginning July 1, 2009, local health jurisdictions are eligible to receive funds under this act from the local public health financing account only upon demonstrating that the local health jurisdiction has: (1) Complied with the performance measures adopted under this act; and

(2) Spent funds received after July 1, 2008, under this act in accordance with the criteria established in that act.

Requires that, by November 15, 2011, the department shall report to the legislature and the governor on the distribution of funds under this act and the use of those funds. In addition, the report must discuss the performance measures adopted by the advisory committee and the impact of the funds to improve compliance with the performance measures and health status indicators.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Health & Long-Term Care.

**SB 5730** by Senators Fairley, Swecker, and Rasmussen

Authorizing port districts to provide financial support to nonprofit organizations that serve commercial seafarers while in port.

Authorizes port districts to provide financial support to nonprofit organizations that serve commercial seafarers while in port.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.

**SB 5731** by Senators Shin, Delvin, Berkey, Sheldon, Tom, Oemig, Rasmussen, Pridemore, Roach, Jacobsen, and Kohl-Welles

Creating a committee on the education of students in high demand fields.

Finds that Washington needs to produce eight to ten thousand additional baccalaureate degrees per year so that Washington employers will not have to look out of state to find employees.

Establishes a committee on the education of students in high demand fields to: (1) Develop a plan to increase the capacity of Washington institutions of higher education by ten thousand students per year by 2020 to produce baccalaureate and advanced degrees in high impact, high demand areas of study;

(2) Develop a marketing project to inform students, parents, and educators of opportunities in high demand fields;

(3) Investigate ways to motivate students to take more mathematics and science courses in high school and college; and

(4) Identify ways that the business community can enter into more partnerships with the state to ensure that Washington institutions of higher education produce

graduates in high demand fields that are ready and able to find employment in Washington.

Requires the committee to report its findings and recommendations to appropriate committees of the legislature by December 1, 2007.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Higher Education.

**SB 5732** by Senators Fraser, Swecker, Fairley, Haugen, and Clements

Revising restrictions on the county treasurer regarding receipting current year taxes.

Provides that no treasurer shall accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.

**SB 5733** by Senators Stevens and Jacobsen

Regarding hydraulic project permit approval for projects intended to reduce or eliminate damage from floods.

Requires the department to, when reviewing applications for hydraulic projects specifically intended by the applicant to eliminate or reduce damages to upland properties caused by potential floods, give equal consideration to protecting fish life, public safety, and private property.

Provides that, for any property that has experienced at least two consecutive years of flooding or erosion that has damaged or has threatened to damage a structure, water supply system, septic system, or access to any road or highway, the county legislative authority must determine that a chronic danger exists. The county legislative authority shall notify the department, in writing, if it determines that a chronic danger exists. In cases of chronic danger, the department shall issue an expedited written permit, upon request, for work to remove any obstructions, repair existing structures, restore banks, restore road or highway access, protect fish resources, or protect property.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5734** by Senators Holmquist and Zarelli

Regarding protecting legally existing uses from new regulations adopted under chapter 36.70A RCW.

Protects legally existing uses from new regulations adopted under chapter 36.70A RCW.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.

**SB 5735** by Senators Kohl-Welles, Clements, Franklin, Keiser, and Parlette; by request of Department of Labor & Industries

Modifying provisions regulating contractors.  
Revises provisions regulating contractors.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Labor, Commerce, Research & Development.

**SB 5736** by Senators Keiser, Kastama, Kohl-Welles, Rockefeller, Pridemore, and Kline

Revising the nursing facility payment system.  
Revises the nursing facility payment system.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Ways & Means.

**SB 5737** by Senators Fraser, Swecker, Rasmussen, Sheldon, Keiser, Franklin, Shin, and Holmquist

Allowing a freeze in home values in order to provide property tax relief to seniors, persons retired because of disability, and veterans with service-connected disabilities.

Authorizes a freeze in home values in order to provide property tax relief to seniors, persons retired because of disability, and veterans with service-connected disabilities.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.

**SB 5738** by Senators Oemig and Swecker; by request of Secretary of State

Modifying absentee ballot and related election provisions.  
Revises absentee ballot and related election provisions.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.

**SB 5739** by Senators Rockefeller and Kline

Providing requirements for vehicle idling in Washington state ferry holding areas.

Provides that the driver of a vehicle waiting in a holding area operated by Washington state ferries shall not have the vehicle idle in excess of three consecutive minutes if the vehicle is gasoline-powered or in excess of five consecutive minutes if the vehicle is diesel-powered, unless: (1) The vehicle is being used as an emergency vehicle in an emergency situation;

(2) The vehicle is required by a federal, state, or local law or official, but only to the extent necessary to comply with such a requirement;

(3) The vehicle's engine is providing auxiliary power for activities other than heating or air conditioning, such as loading, refrigeration, well drilling, or farming;

(4) Running the vehicle's engine is necessary for maintenance, servicing, repair, or diagnostic purposes;

(5) Running the vehicle's engine during adverse weather conditions is necessary to ensure the safe operation of the vehicle; or

(6) The ambient air temperature is below twenty degrees Fahrenheit for gasoline-powered vehicles or below

thirty-two degrees Fahrenheit for diesel-powered vehicles, and idling of the vehicle is necessary to ensure the safety or health of the passengers or driver.

Declares that RCW 47.04.090 does not apply to this act.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Transportation.

**SB 5740** by Senators Kilmer, Poulsen, Stevens, Rasmussen, Regala, and Delvin

Regulating utility pole attachments.

Finds that public utility districts that own utility poles and that are exempt from the pole attachment provisions under chapter 80.54 RCW have sought to charge multiple attachment fees on the same pole and have used attachment rates, terms, and conditions that are inconsistent with the pole attachment provisions under chapter 80.54 RCW and federal communications commission regulations.

Finds that these practices: (1) Are inconsistent with the policy of the state;

(2) Do not advance the efficiency or availability of telecommunications facilities in rural or urban areas;

(3) Do not encourage the introduction of competition, making the use of these essential facilities difficult for providers of telecommunications and cable television services; and

(4) Result in excessive litigation costs, the courts being the only recourse available to licensees who do not agree to contract terms.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Water, Energy & Telecommunications.

**SB 5741** by Senators Franklin, Tom, Keiser, Hobbs, Hargrove, Kohl-Welles, Poulsen, Kline, Shin, and Rasmussen

Expanding the presumption of occupational disease for firefighters.

Finds and declares: (1) By reason of their employment, firefighters are required to work in the midst of, and are subject to, smoke, fumes, infectious diseases, and toxic substances;

(2) Firefighters are continually exposed to a vast and expanding field of hazardous substances;

(3) Firefighters enter uncontrolled environments to save lives, provide emergency medical services, and reduce property damage and are frequently not aware or informed of the potential toxic and carcinogenic substances, and infectious diseases that they may be exposed to;

(4) Firefighters are often exposed simultaneously to multiple carcinogens;

(5) Firefighters so exposed can potentially and unwittingly expose coworkers, families, and members of the public to infectious diseases;

(6) Harmful effects caused by firefighters' exposure to hazardous substances, whether cancer, infectious disease, a heart injury, or respiratory disease, develop very slowly, usually manifesting themselves years after exposure;

(7) Cardiovascular disease is exacerbated by firefighting duties and firefighting increases the incidence of cardiovascular disease and heart injuries in firefighters;

(8) Firefighters frequently and at unpredictable intervals perform job duties under strenuous physical

conditions when engaged in firefighting activities and routinely are unable to meet normal definitions of "unusual exertion" standards; and

(9) Firefighters who experience heart injuries during firefighting activities shall be assumed to meet current "unusual exertion" standards during strenuous physical exertion.

Provides that, in any case where the presumption is upheld, or the employee prevails on the basis of a presumption, whether at the board of industrial insurance appeals or in any court, the employee must be awarded full benefits, attorney fees, expert witness costs, and all other costs from the date of the employee's initial application for benefits.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Labor, Commerce, Research & Development.

**SB 5742** by Senator Brown

Creating a five-member option for civil service commissions for sheriffs' offices.

Provides a five-member option for civil service commissions for sheriffs' offices.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.

**SB 5743** by Senators Kastama, Kilmer, and Shin

Linking economic clusters and quality management practices to customized training.

Requires the following to be met in regards to the job skills program: (1) Development of additional mechanisms for identification of, and outreach to, firms with a strong potential to effectively compete in the global marketplace after participating in the job skills program; and

(2) Encouragement of businesses participating in the job skills program to participate in workshops or training in continuous quality improvement, performance measurement, strategic planning, or other approaches offered by service providers such as Washington manufacturing services, the Washington quality award, or the Washington technology center and designed to improve company productivity and effectiveness.

Appropriates the sum of three million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2008, from the general fund to the state board for community and technical colleges for the purposes of this act.

Appropriates the sum of three million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2009, from the general fund to the state board for community and technical colleges for the purposes of this act.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Economic Development, Trade & Management.

**SB 5744** by Senators Kastama and Kilmer

Providing assistance to companies seeking to adopt ISO-9000 quality standards.

Provides assistance to companies seeking to adopt ISO-9000 quality standards.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Economic Development, Trade & Management.

**SB 5745** by Senators Brown and Kohl-Welles

Regarding the use of solid fuel burning devices during impaired air quality conditions.

Finds that there are communities in the state that exceed the national ambient air quality standards for fine particulates primarily due to wood smoke emissions from solid fuel burning devices, and that current strategies are not sufficient to reduce wood smoke emissions to levels that comply with the federal standards or adequately protect public health. The legislature finds that it is in the state's interest and to the benefit of the people of the state to evaluate additional measures to reduce wood smoke emissions and update the state wood smoke control program.

Directs the department of ecology to convene and chair a work group to study the impacts of wood smoke from solid fuel burning devices on communities in Washington and make recommendations to the legislature on practical and cost-effective opportunities to reduce public health threats from exposure to wood smoke from solid fuel burning devices. The work group must be appointed by the director of the department of ecology and include all regional air quality agencies, the state department of health, local health departments, and the hearth products industries.

Provides that, in carrying out its assignment the work group shall consider, but not be limited to: (1) Communities in the state that have elevated levels of fine particulates;

(2) The contribution of pollution from solid fuel burning devices to potential violations of federal air quality standards;

(3) Strategies used in other states, regions, or cities to reduce wood smoke pollution levels and effectiveness of these strategies;

(4) State laws, rules, tariffs, and policies that may affect the ability to reduce emissions from solid fuel burning devices or encourage the use of cleaner burning devices; and

(5) Potential financial incentives and sources of funding to change out older solid fuel burning devices with cleaner burning devices.

Declares that recommendations from the work group may include statutory or regulatory changes, incentives, and other strategies that will reduce ambient fine particulates to levels sufficient to protect public health. The recommendations must be provided to the governor and to the policy committees of the senate and house of representatives that deal with air quality issues by December 1, 2007.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Water, Energy & Telecommunications.

Feb 2 Scheduled for public hearing in committee. (Subject to change)

**SB 5746** by Senators Jacobsen, Kohl-Welles, Murray, Keiser, McCaslin, and Poulsen

Regarding the practice of landscape architecture.

Finds that in order to safeguard life, health, and property and to promote public welfare, it is necessary to regulate the practice of landscape architecture, based on the first action taken to regulate the profession in 1969, and subsequent review in year 1988 along with review and revisions in 2007.

Repeals RCW 18.96.050 and 18.96.160.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Labor, Commerce, Research & Development.

**SB 5747** by Senators Jacobsen and Shin

Requiring the chair of the fish and wildlife commission be confirmed by the senate.

Requires the chair of the fish and wildlife commission be confirmed by the senate.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5748** by Senator Jacobsen

Regarding ballast water management.

Provides that the department, in consultation with the ballast water work group created in this act, shall collect data necessary to establish and maintain an inventory of the location and geographic range of nonindigenous plant and animal populations in the coastal and estuarine waters of the state that includes open coastal waters and bays and estuaries. In particular, data must be collected that does both of the following: (1) Supplements the existing baseline of nonindigenous species previously developed pursuant to this section, by adding data from investigations of intertidal and nearshore subtidal habitats along the open coast; and

(2) Monitors the coastal and estuarine waters of the state, including, but not limited to, habitats along the open coast, for new introductions of nonindigenous species or spread of existing nonindigenous species populations.

Repeals RCW 77.120.060, 77.120.080, and 77.120.090.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5749** by Senators Schoesler, Rasmussen, Spanel, Morton, Shin, and Haugen

Regarding Brassica seed production.

Finds that production of biofuel using *Brassica* seed crops, generally known as canola or rapeseed, can help citizens and businesses conserve energy and reduce the use of petroleum-based fuels, improve air and water quality, and create new industries and jobs for Washington citizens. The legislature also finds that Washington state offers conditions uniquely suited to the production of high quality, high value *Brassica* vegetable seed, and that the vegetable seed industry is a significant contributor to the

diversity and economic viability of the agricultural community.

Declares that the purpose of this act is to provide for the orderly production of potentially incompatible varieties of *Brassica* seed crops.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Agriculture & Rural Economic Development.

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### Senate Joint Memorials

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**SJM 8009** by Senators Fraser, Kohl-Welles, Prentice, Spanel, McAuliffe, Brown, Franklin, Weinstein, and Kline

Urging adoption of a treaty fighting discrimination against women.

Requests that President Bush and the Secretary of State place the United Nations Convention on the Elimination of All Forms of Discrimination Against Women in the highest category of priority in order to accelerate the treaty's passage through the Senate Foreign Relations Committee and the full United States Senate with the goal of ratification by the United States; and that the Washington State Legislature exhort the Senate Foreign Relations Committee to pass this treaty favorably out of Committee and urge it be approved by the full Senate.

-- 2007 REGULAR SESSION --

Jan 30 First reading, referred to Government Operations & Elections.